

Application No. 10/658,877
Amendment dated April 14, 2006
Office Action dated December 20, 2005

REMARKS

Claims 1-16 are pending in the subject application.

Claim 1 is independent, and Claims 13 and 14 have now been presented in independent form as well, as noted below.

Applicants have amended Claim 6 to correct a typographical error as noted by the Examiner.

Applicants acknowledge with thanks that Claims 13 and 14 would be allowable if rewritten. Applicants have amended Claim 13 to introduce the recitations of Claims 1 and 12 and Claim 14 to introduce the recitations of Claim 1. Applicants submit that Claims 13 and 14 are thus allowable. For the reasons set forth herein, Applicants submit that Claims 1-12 and 15-16 are also allowable.

Applicants turn now to the substance of the Action.

Section 103(a) Rejection

Claims 1-5, 8, 11-12 and 16 stand rejected under 35 U.S. C. § 103(a) as allegedly being unpatentable over German Patent Application Publication No. DE 2900446A (DE '446) in view of U.S. Patent No. 5,560,377 (Donovan) for the reasons given at pages 2-3 of the Action.

Application No. 10/658,877
Amendment dated April 14, 2006
Office Action dated December 20, 2005

Claims 6-7 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over DE '446, as modified by Donovan, as applied to Claim 1, and further in view of U.S. Patent No. 5,607,050 (Dolan) for the reasons given at page 4 of the Action.

Claims 9-10 and 15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over DE '446, as modified by Donovan, as applied to Claims 8 and 12, and further in view of U.S. Patent No. 5,804,290 (Marini) for the reasons given at pages 4-5 of the Action.

Applicants traverse these Section 103(a) rejections.

As the Examiner is aware, the present invention as broadly defined by Claim 1 is directed to and claims a method for sealing a threaded assembly comprising providing a dispenser having a joint-sealing material packaged therein, wherein the joint-sealing material comprises a multifilament yarn and a joint-sealing composition ready coated over the yarn; removing a portion of the joint-sealing material from the dispenser; and applying the portion of the joint-sealing material to threads of a first threaded component of the threaded assembly.

DE '446 seemingly is directed to a process for producing a bobbin of long-fibre hemp or flax material for

sealing screwed pipe joints. According to an English-language abstract thereof supplied together with the Action, a spring taken from the long-fibre stretching machine is wound under slight tension without spinning onto a core with a pitch coarse enough to leave a space between adjacent individual turns in a layer. In adjacent layers the turns merely cross over each other. The pitch can be such that the angle at these crossing points is greater than or equal to 10 degrees. The string can be stretched to give a weight of 0.5 to 2 grams/m run.

DE '446 by this abstract thus employs long-fibre hemp or flax material to achieve its stated objective.

A review of the detailed figures of DE '446 demonstrates that the substance thereof involves a mechanical technological advance, not a method for sealing a threaded assembly comprising providing a dispenser having a joint-sealing material packaged therein, let alone where the joint-sealing material comprises a multifilament yarn and a joint-sealing composition ready coated over the yarn.

The Examiner recognizes that DE '446 fails to disclose or fairly suggest the joint-sealing material comprising a multifilament yarn and a joint-sealing compositions ready coated over the yarn.

The Examiner points to Donovan for that missing information.

Donovan however is directed to and claims a composite flossing implement. This implement contains a monofilament element arranged and constructed so as to form a floss leader having a first and a second end, the leader being adapted for ready access between the teeth, the monofilament element having one or more multifilament elements bonded thereto. The multifilament element may be bonded to one of the ends of the monofilament element and extend outwardly therefrom in an essentially non-overlapping manner. At least two multifilament elements may be bonded in spaced relation along the length of the monofilament element. The multifilament element may be provided in the form of a loop.

Donovan thus fails to describe a joint sealing material, let alone one ready coated over the yarn. Applicants have studied Donovan, specifically the sections referred to by the Examiner, and simply can find no disclosure, teaching or suggestion of that claim recitation.

The Action has thus failed to make out a prima facie case of obviousness based on the combination of DE '446 and Donovan.

Moreover, DE '446 resides in the field of screw pipe joint sealing materials, specifically in the form of a bobbin. Donovan resides in the field of dental floss. DE '446 has been classified under international classification B65H 054/02. Donovan has been classified in contrast under international classification A61C 15/00 (U.S. classification 132/321).

There is simply no reason one of ordinary skill in the art would be motivated to jump from one of these classifications to the other (in either direction), and the Examiner has not pointed out where in either document it would be suggested to do so. Even assuming such a suggestion existed, which it does not, a prima facie case of obviousness would not have been established.

The remaining two cited documents of record are discussed below. However, neither supplies the missing information required to construct the Examiner's obviousness rejection and neither adds to that which has been advanced in the Action.

Dolan is directed to and claims a floss dispenser. The dispenser is an essentially cylindrical case, the case including a cylindrical wall with an inner surface and two opposite ends, the case having an opening formed in at least one

end; a spool having floss wrapped around a hub, the spool being inserted into the case through the opening in its end with the hub of the spool mounted parallel to the length of the case; and a cap received by the opening in the end of the case, the cap having an outer circumferential wall portion, means for receiving and centering the hub of the spool when the cap is sealing the opening of the case, and at least one opening therein through which floss is threaded out of the end of the case. The means for securely attaching the cap to the case, the cap securing means having a first interlocking engagement member associated with the cap and a mating second interlocking engagement member associated with the case, the first engagement member being defined by at least one radially outwardly extending, circumferential protrusion formed on the wall portion of the cap, and the second engagement member being defined by at least one radially inwardly extending, circumferential protrusion formed on the inner surface of the cylindrical wall of the case. The second engagement member of the case includes a stop post formed on the inner wall of the case, the stop post extending radially inwardly and in a direction generally transverse to the direction of the second circumferential protrusion of the cylindrical wall of the case, the stop post

Application No. 10/658,877
Amendment dated April 14, 2006
Office Action dated December 20, 2005

engaging the first circumferential protrusion of the cap when rotating the cap to its attached position and defining a limit for rotating the cap, the arrangement being such that upon insertion of the cap into the open end of the case and rotating the cap, the first engagement member of the cap engages the second engagement member of the case.

Marini is directed to and claims a monoaxially stretched molded article which comprises polytetrafluorethylene (PTFE) and one or more fillers selected from talc, mica, a high temperature resistant polyamide, whiting and combinations thereof. The molded article has been sintered and has a strength value in the stretching direction of at least 10 CN/tex.

Since Donovan is silent as to a joint sealing material, let alone one being ready coated over the yarn, neither Dolan nor Marini adds anything of merit to the Section 103 rejections advanced in the Action.

Frankly, as noted above, there is no motivation for persons of ordinary skill in the art to look to the cited documents to supply the deficiencies of the other to reach the invention as now claimed.

Application No. 10/658,877
Amendment dated April 14, 2006
Office Action dated December 20, 2005

To conclude otherwise, as the Examiner has, could only have come about from the use of impermissible hindsight. Hindsight as the Examiner knows can find no place in the examination of applications for Letters Patent.

Applicants respectfully request a prompt and favorable re-examination of the application based on the remarks set forth herein.

Applicants' undersigned attorney may be reached by telephone at (860) 571-5001 or by facsimile at (860) 571-5028. All correspondence should be directed to the address given below.

Respectfully submitted,



Steven C. Bauman
Attorney for Applicants
Registration No. 33,832

HENKEL CORPORATION
Legal Department
1001 Trout Brook Crossing
Rocky Hill, Connecticut 06067